

Via Facsimile to Number 703-872-9306

9D-DW-19349
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Barry et al.	:	
	:	Art Unit: 3727
Serial No.: 09/748,804	:	
	:	Examiner: Moy, Joseph Man
Filed: December 27, 2000	:	
	:	
For: DISHWASHER SILVERWARE	:	
BASKET WITH SWIVEL	:	
HANDLE	:	

AMENDMENT

Mail Stop NON-FEE AMENDMENT
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-145

Sir:

In response to the Office Action dated April 13, 2004, please amend the above-identified patent application as follows.

JUN 02 2004

ARMSTRONG TEASDALE LLP

One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
Phone: (314) 621-5070
Fax: (314) 621-5065
www.armstrongteasdale.com

OFFICIAL

**CERTIFICATE OF FACSIMILE TRANSMISSION TO THE
UNITED STATES PATENT AND TRADEMARK OFFICE**

DATE: June 2, 2004

TO: Examiner: Joseph Man Moy : **RE:** U.S. Patent Application
Art Unit: 3727 : **Serial No.:** 09/748,804
Fax: 703-872-9306 : **Applicant:** Barry et al.
From: Rozell Williams, Jr. : **Atty. Dkt. No.:** 9D-DW-19349

DOCUMENTS SUBMITTED WITH TRANSMISSION:

- *Amendment in Response to the Office Action dated April 3, 2004 (23 pgs.);*
- *Amendment Transmittal (3 pages)*
- *Certificate of Facsimile Transmission (1 page)*

Total pages including cover page: 27

If all pages are not received, please contact: Laura Davis at Ext. 7447

RE: The above referenced U.S. Patent Application
Title: DISHWASHER SILVERWARE BASKET WITH SWIVEL HANDLE
Filed: December 27, 2000
AT File No. 13307-95

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that these papers are being facsimile transmitted to the U.S. Patent and Trademark Office,
Facsimile Number 703-872-9306 on the date shown above.


Rozell Williams, Jr., Reg. No.: 44,403

The information contained in this facsimile message is information protected by attorney-client and/or the attorney/work product privilege. It is intended only for the use of the individual named above and the privileges are not waived by virtue of this having been sent by facsimile. If the person actually receiving this facsimile or any other reader of the facsimile is not the named recipient or the employee or agent responsible to deliver it to the named recipient, any use, dissemination, distribution, or copying of the communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via U.S. Postal Service.

***IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CONTACT US IMMEDIATELY AT (314) 621-5070.**

JUN 02 2004

Attorney Docket No.: 9D-DW-19349

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Barry et al. :
Serial No.: 09/748,804 : Group No.: 3727
Filed: December 27, 2000 : Examiner: Moy, Joseph Man
For: DISHWASHER :
SILVERWARE BASKET :
WITH SWIVEL HANDLE :

Mail Stop: NON-FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

1. Transmitted herewith is:
 - Amendment Transmittal (3 pgs.)
 - Amendment in Response to Office Action dated April 13, 2004 (23 pgs.);
 - Certificate of Facsimile Transmission (1 page)

STATUS

2. Applicant
 - ☐ claims small entity status.
 - ☒ is other than a small entity.

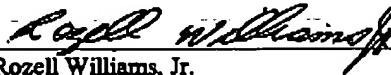
CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING
___ deposited with the United States Postal Service with sufficient postage as Express Mail, in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 Express Mail No.: EV US

Date: June 2, 2004

FACSIMILE
☒ transmitted by facsimile to the Patent and Trademark Office to number 703-872-9306.


Rozell Williams, Jr.
Reg No. 44,403

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

- (a) _____ Applicant petitions for an extension of time under 37 C.F.R. 1.136
(Fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

Extension for response within:	Other than small entity Fee	Small entity Fee (if applicable)
_____ first month	\$ 110.00	\$ 55.00
_____ second month	\$ 400.00	\$ 200.00
_____ third month	\$ 920.00	\$ 460.00
_____ fourth month	\$1,440.00	\$ 720.00
_____ fifth month	\$1,960.00	\$ 980.00

Fee: \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

_____ An extension of _____ months has already been secured. The fee paid therefor \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$.

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY	OTHER THAN SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA	ADDITIONAL RATE FEE	OR	ADDITIONAL RATE FEE
TOTAL INDEP.		MINUS		=0	x \$9 = \$		x \$18 = \$
		MINUS		=0	x \$42 = \$		x \$84 = \$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$130 = \$		+ \$280 = \$
					TOTAL ADDITIONAL FEE \$	OR	TOTAL ADDITIONAL FEE \$

- (a) ☒ No additional fee for Claims is required

OR

- (b) ☐ Total additional fee for claims required \$ _____

FEE PAYMENT

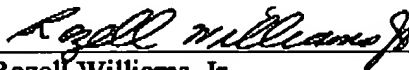
5. ☐ Attached is a check in the sum of \$ _____
☐ Charge Deposit Account No. 01-2384 the sum of \$ _____.
 A duplicate of this transmittal is attached.

FEE DEFICIENCY

6. ☒ If any additional extension and/or fee is required, charge Deposit Account No. 01-2384.

AND/OR

- ☒ If any additional fee for claims is required, charge Deposit Account No. 01-2384.
7. ☐ Other:


 Rozell Williams, Jr.
 Reg. No. 44,403
 ARMSTRONG TEASDALE LLP
 One Metropolitan Square, Suite 2600
 St. Louis, MO 63102
 314/621-5070